



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

SEP 05 2017

OFFICE OF
CONGRESSIONAL AND
INTERGOVERNMENTAL
RELATIONS

Ms. Amena H. Saiyid
Bloomberg BNA
1801 South Bell Street
Arlington, Virginia 22202

RE: Freedom of Information Act Request EPA-HQ-2017-004707

Dear Ms. Saiyid:

This is in response to your Freedom of Information Act (FOIA) request submitted March 8, 2017, requesting access to and copies of any and all documents, including, but not limited to letters and emails between employees and contractors of the EPA and members of Congress, concerning the interpretation of the 2006 U.S. Supreme Court ruling in *Rapanos v. U.S.* Specifically, the exchange that took place after November 8, 2016 and includes mentions of Justices Antonin Scalia and Anthony Kennedy.

The documents enclosed represent the first production. Some of the documents have been redacted or withheld to maintain the privacy of the personal information contained in them pursuant to FOIA Exemption 6, U.S.C. § 552 (b) (6), as disclosure of such information would constitute an unwarranted invasion of personal privacy.

If you have any concerns, you may appeal this response in writing to the National Freedom of Information Act Officer at:

U.S. Environmental Protection Agency
William Jefferson Clinton Federal Building
Records, FOIA, and Privacy Branch
1200 Pennsylvania Avenue, NW (2822T)
Washington, D.C. 20460
Email: hq.foia@epa.gov

Please note that correspondence mailed through only the U.S. Postal Service can be delivered to the address above. If you would like to deliver your appeal in person, via courier service or via an overnight-delivery service, you must address your correspondence to 1301 Constitution Avenue, NW, Room 6416J, Washington, D.C. 20001.

Your written appeal must be received no later than 90 calendar days from the date of this letter and should include the request number listed above. The EPA will not consider appeals received after the 90 calendar-day limit. In addition, appeals received after 5 p.m. eastern time are considered as having been received the next business day. For the quickest possible handling, the subject line of your email or the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."

Additionally, you may seek dispute-resolution services from the EPA's FOIA public liaison at hq.foia@epa.gov or (202) 566-1667 or from the National Archives and Records Administration's Office of Government Information Services. You may contact the Office of Government Information Services with an email to ogis@nara.gov; by calling toll free (877) 684-6448 or (301) 837-1996; with a fax to (301) 837-0348; or by mail to National Archives and Records Administration, Office of Government Information Services, 8610 Adelphi Road, Room 2510, College Park, Maryland 20740-6001.

If you have any questions regarding this response, please contact Kenneth Labbe, Information Management Specialist at (202) 564-1486.

Sincerely,

A handwritten signature in dark ink, appearing to read "Robin R. Richardson", with a long, sweeping horizontal stroke extending to the right.

Robin Richardson
Principal Deputy Associate Administrator

Enclosure